

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

*City Hall, 1 Dr. Carlton B.  
Goodlett Place  
San Francisco, CA 94102-4689*

## MEETING MINUTES

Monday, July 22, 2002 1:00 PM

Legislative Chamber - Second Floor  
City Hall, 1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

Rescheduled Meeting

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*TOM AMMIANO, PRESIDENT  
CHRIS DALY, MATT GONZALEZ, TONY HALL, MARK LENO,  
SOPHIE MAXWELL, JAKE MCGOLDRICK, GAVIN NEWSOM,  
AARON PESKIN, GERARDO SANDOVAL, LELAND Y. YEE  
Gloria L. Young, Clerk of the Board*

### BOARD COMMITTEES

#### Committee Membership

##### **Budget Committee**

Supervisors Maxwell, Peskin, Yee, Ammiano, McGoldrick

##### **City and School District Committee**

Supervisors Ammiano, Leno, Wynns, Mar

##### **Finance Committee**

Supervisors Peskin, Daly, Ammiano

##### **Health and Human Services Committee**

Supervisors Daly, Leno, Maxwell

##### **Neighborhood Services and Recreation Committee**

Supervisors Newsom, Leno, McGoldrick

##### **Public Works and Public Protection Committee**

Supervisors Sandoval, Yee, Gonzalez

##### **Rules and Audits Committee**

Supervisors Hall, Gonzalez, Sandoval

##### **Transportation and Commerce Committee**

Supervisors McGoldrick, Hall, Ammiano

#### Meeting Days

2nd, 3rd and 4th Tuesday  
1:00 PM

3rd Wednesday  
3:00 PM

Wednesday  
12:30 PM

1st and 3rd Thursday  
1:00 PM

2nd and 4th Thursday  
2:00 PM

1st and 3rd Tuesday  
10:00 AM

1st and 3rd Tuesday  
1:00 PM

2nd and 4th Thursday  
9:30 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Volume 97 Number 28

**Members Present:** Tom Ammiano, Chris Daly, Matt Gonzalez, Tony Hall, Mark Leno, Sophie Maxwell, Jake McGoldrick, Gavin Newsom, Aaron Peskin, Gerardo Sandoval, Leland Y. Yee.

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## ROLL CALL AND PLEDGE OF ALLEGIANCE

*The Board of Supervisors of the City and County of San Francisco met in rescheduled session on the above date with President Tom Ammiano presiding.*

*The meeting was called to order at 1:01 p.m. On call of the roll, the following Supervisors were noted absent:*

*Supervisors Gonzalez, McGoldrick - 2.*

*Quorum present.*

*Supervisor McGoldrick was noted present at 1:03 p.m.*

*Supervisor Gonzalez was noted present at 1:30 p.m.*

## APPROVAL OF MEETING MINUTES

**Supervisor Sandoval, seconded by Supervisor Newsom, moved to approve the May 13, 2002 Meeting Minutes. The motion carried by the following vote:**

**Ayes: 10 - Ammiano, Daly, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee**  
**Absent: 1 - Gonzalez**

## AGENDA CHANGES

*The President inquired if there were any changes to the agenda members were aware of which needed to be continued, tabled, or considered differently.*

*Supervisor Sandoval requested that File Nos. 020956, 020958, 020957, 021076, 011656, 020884, 020888, 020805, 020938, 020885, 020882, 020886, 021170, 021169, 012056, 021253, 020887, and 021185 be postponed until Supervisor Gonzalez arrived at the Board meeting.*

## COMMUNICATIONS

*Letter from Willie L. Brown Jr., Mayor, dated July 22, 2002 withdrawing the Mayor's nominations to the Board of Appeals.*

*Letter from Willie L. Brown Jr., Mayor, dated July 22, 2002 apprising the Board of Supervisors of the current status of negotiations with SEIU.*

*Letter from Deborah Brown, Voter Services Manager, Department of Elections, dated July 19, 2002 certifying that the petition for Care Not Cash did contain sufficient valid signatures to qualify for November 5, 2002 Consolidated General Election.*

*Letter from Deborah Brown, Voter Services Manager, Department of Elections, dated July 19, 2002 certifying that the petition for Homeownership Opportunities for Everyone (HOPE) did contain sufficient valid signatures to qualify for November 5, 2002 Consolidated General Election.*

## CONSENT AGENDA

### Recommendations of the Finance Committee

**021070 [MOU, Amendment No. 1, Teamsters Local 853]  
Mayor**

Ordinance adopting and implementing Amendment No. 1 to the 2001-2003 Memorandum of Understanding between the Teamsters, Local No. 853 and the City and County of San Francisco by adding a new section to Article III.F. Additional Compensation which provides for the pass-through of State of California funds to certain represented classes working at Skilled Nursing Facilities. (Mayor)

**Ordinance No. 167-02**

**FINALLY PASSED by the following vote:**

Ayes: 10 - Ammiano, Daly, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Absent: 1 - Gonzalez

**021127 [Setting Fees for City Day Camps]**

Ordinance amending the San Francisco Park Code by adding Section 12.15, setting fees for participating in day camps run by the Recreation and Park Department. (Mayor)

**Ordinance No. 168-02**

**FINALLY PASSED**

- 021136 [Contracting out Convention Facilities management, operation and maintenance services]**  
Resolution concurring, retroactively, with the Controller's certification that Convention Facilities management, operation and maintenance services can be practically performed at Bill Graham Civic Auditorium and the Moscone Center by private contractor for a lower cost than similar work services performed by City and County employees. (Administrative Services Department)

Resolution No. 505-02

**ADOPTED**

- 021049 [Lease of Property - Camelot Hotel]**  
Supervisors Ammiano, Daly

Resolution authorizing and approving the lease by and between the City and County of San Francisco, for the Department of Public Health, as Tenant, and 124 Turk Street, LP, as Landlord, for the Camelot Hotel located at 124 Turk Street, San Francisco, CA 94102.

(Fiscal impact; District 6.)

Resolution No. 502-02

**ADOPTED.**

The foregoing items were acted upon by the following vote:

Ayes: 10 - Ammiano, Daly, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Absent: 1 - Gonzalez

## **REGULAR AGENDA**

## **UNFINISHED BUSINESS**

### **From the Clerk**

- 021239 [Adopting findings related to the conditional use appeal on property located at 3130-3154 Noriega Street]**  
Motion adopting findings related to the appeal of the Planning Commission's approval of Conditional Use Application No. 2001.0995CE (which approved the development of a new four-story, mixed use building, at a maximum height of forty feet, containing approximately 3,400 square feet of commercial/retail space and nine dwelling units on a lot with a total area exceeding 5,000 square feet) for property in an NC-1 (Neighborhood Commercial Cluster) District and a 40-X Height and Bulk District located at 3130-3154 Noriega Street on the north side of Noriega Street at 39th Avenue (Lot 7 in Assessor's Block 2011). (Clerk of the Board)

(Companion measure to Files 202900, 020901, 020902, 020903.)

Motion No. M02-117

**APPROVED by the following vote:**

Ayes: 8 - Daly, Hall, Leno, Maxwell, Newsom, Peskin, Sandoval, Yee

Noes: 2 - Ammiano, McGoldrick

Absent: 1 - Gonzalez

**Recommendations of the Budget Committee**

020956 [Annual Budget, Fiscal Year 2002-03]  
Mayor

Motion approving Annual Budget for City and County of San Francisco for Fiscal Year 2002-2003. (Mayor)

(Companion measure to Files 020957, 020958, 020959, 020960, 09061.)

*Supervisor Ammiano, seconded by Supervisor Daly, moved technical amendments. (See File For Details)*

**President Ammiano, seconded by Supervisor Daly, moved that this Motion be AMENDED. The motion carried by the following vote:**

Ayes: 8 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Peskin, Sandoval

Noes: 3 - Hall, Newsom, Yee

*Supervisor Peskin, seconded by Supervisor Maxwell, moved to amend by adding a .50 FTE Limited Duration Senior Environmental Specialist position to the Department of the Environment.*

**Supervisor Peskin, seconded by Supervisor Maxwell, moved that this Motion be AMENDED. The motion carried by the following vote:**

Ayes: 8 - Ammiano, Daly, Gonzalez, Leno, Maxwell, Newsom, Peskin, Sandoval

Noes: 3 - Hall, McGoldrick, Yee

*Supervisor Peskin, seconded by Supervisor Maxwell, moved by adding a position. 75 FTE, Water & Power Resources Manager to the Public Utilities Commission.*

**Supervisor Peskin, seconded by Supervisor Maxwell, moved that this Motion be AMENDED. The motion carried by the following vote:**

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

*Supervisor Daly, seconded by Supervisor Gonzalez, moved to amend by placing \$1,070,000 for IHSS on the Finance Committee Reserve.*

**Supervisor Daly, seconded by Supervisor Gonzalez, moved that this Motion be AMENDED. The motion carried by the following vote:**

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

*Supervisor Sandoval, seconded by Gonzalez, moved to amend by placing \$700,000 for the City-Wide Programs for Youths on the Finance Committee Reserve.*

**Supervisor Sandoval, seconded by Supervisor Gonzalez, moved that this Motion be AMENDED. The motion carried by the following vote:**

Ayes: 6 - Daly, Gonzalez, Leno, Newsom, Peskin, Sandoval

Noes: 5 - Ammiano, Hall, Maxwell, McGoldrick, Yee

*Supervisor McGoldrick, seconded by Supervisor Maxwell, moved to amend by replacing "3 Planner III positions at .75 FTE " with "3 Planner II positions at .75 FTE"; and by adding one Graphic Artist at 0.6 FTE to the Department of City Planning.*

**Supervisor McGoldrick, seconded by Supervisor Maxwell, moved that this Motion be AMENDED. The motion carried by the following vote:**

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

*Supervisor Ammiano, seconded by Supervisor Daly, moved to amend by adding "program improvements" after the "In Home Supportive Services wage and benefits increases".*

**President Ammiano, seconded by Supervisor Daly, moved that this Motion be AMENDED. The motion carried by the following vote:**

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval  
Absent: 1 - Yee

**APPROVED AS AMENDED by the following vote:**

Ayes: 10 - Ammiano, Daly, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee  
Noes: 1 - Gonzalez

**020958 [Public Employment, Fiscal Year 2002-03]**

Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the Fiscal Year ending June 30, 2003, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor. (Human Resources Department)

(Fiscal impact; Companion measure to Files 020956, 020957.)

*Supervisor Ammiano, seconded by Supervisor Daly, moved technical amendments.*

**President Ammiano, seconded by Supervisor Daly, moved that this Ordinance be AMENDED. The motion carried by the following vote:**

Ayes: 8 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Peskin, Sandoval  
Noes: 3 - Hall, Newsom, Yee

*Supervisor Peskin, seconded by Supervisor Maxwell, moved to amend by adding a .50 FTE Limited Duration Senior Environmental Specialist position to the Department of the Environment.*

**Supervisor Peskin, seconded by Supervisor Maxwell, moved that this Ordinance be AMENDED. The motion carried by the following vote:**

Ayes: 8 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, Peskin, Sandoval  
Noes: 3 - McGoldrick, Newsom, Yee

*Supervisor Peskin, seconded by Supervisor Maxwell, moved by adding a position. 75 FTE, Water & Power Resources Manager to the Public Utilities Commission.*

**Supervisor Peskin, seconded by Supervisor Maxwell, moved that this Ordinance be AMENDED. The motion carried by the following vote:**

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

*Supervisor Daly, seconded by Supervisor Gonzalez, moved to amend by placing \$1,070,000 for IHSS on the Finance Committee Reserve.*

**Supervisor Daly, seconded by Supervisor Gonzalez, moved that this Ordinance be AMENDED. The motion carried by the following vote:**

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

*Supervisor Sandoval, seconded by Gonzalez, moved to amend by placing \$700,000 for the City-Wide Programs for Youths on the Finance Committee Reserve.*

**Supervisor Sandoval, seconded by Supervisor Gonzalez, moved that this Ordinance be AMENDED. The motion carried by the following vote:**

Ayes: 6 - Daly, Gonzalez, Leno, Newsom, Peskin, Sandoval

Noes: 5 - Ammiano, Hall, Maxwell, McGoldrick, Yee

*Supervisor McGoldrick, seconded by Supervisor Maxwell, moved to amend by replacing "3 Planner III positions at .75 FTE" with "3 Planner II positions at .75 FTE"; and by adding one Graphic Artist at 0.6 FTE to the Department of City Planning.*

**Supervisor McGoldrick, seconded by Supervisor Maxwell, moved that this Ordinance be AMENDED. The motion carried by the following vote:**

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

*Supervisor Ammiano, seconded by Supervisor Daly, moved to amend by adding "program improvements" after the "In Home Supportive Services wage and benefits increases".*

**President Ammiano, seconded by Supervisor Daly, moved that this Ordinance be AMENDED. The motion carried by the following vote:**

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Absent: 1 - Yee

**PASSED ON FIRST READING AS AMENDED by the following vote:**

Ayes: 10 - Ammiano, Daly, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Noes: 1 - Gonzalez

**020957 [Government Funding for Fiscal Year 2002-03]**

Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 2003. (Mayor)

(Fiscal impact; Companion measure to Files 020956, 020958.)

*Supervisor Ammiano, seconded by Supervisor Daly, moved technical amendments.*

**President Ammiano, seconded by Supervisor Daly, moved that this Ordinance be AMENDED. The motion carried by the following vote:**

Ayes: 8 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Peskin, Sandoval

Noes: 3 - Hall, Newsom, Yee

*Supervisor Peskin, seconded by Supervisor Maxwell, moved to amend by adding a .50 FTE Limited Duration Senior Environmental Specialist position to the Department of the Environment.*

**Supervisor Peskin, seconded by Supervisor Maxwell, moved that this Ordinance be AMENDED. The motion carried by the following vote:**

Ayes: 8 - Ammiano, Daly, Gonzalez, Leno, Maxwell, Newsom, Peskin, Sandoval

Noes: 3 - Hall, McGoldrick, Yee

*Supervisor Peskin, seconded by Supervisor Maxwell, moved by adding a position. 75 FTE, Water & Power Resources Manager to the Public Utilities Commission.*

**Supervisor Peskin, seconded by Supervisor Maxwell, moved that this Ordinance be AMENDED. The motion carried by the following vote:**

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

*Supervisor Daly, seconded by Supervisor Gonzalez, moved to amend by placing \$1,070,000 for IHSS on the Finance Committee Reserve.*

**Supervisor Daly, seconded by Supervisor Gonzalez, moved that this Ordinance be AMENDED. The motion carried by the following vote:**

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

*Supervisor Sandoval, seconded by Gonzalez, moved to amend by placing \$700,000 for the City-Wide Programs for Youths on the Finance Committee Reserve.*

**Supervisor Sandoval, seconded by Supervisor Gonzalez, moved that this Ordinance be AMENDED. The motion carried by the following vote:**

Ayes: 6 - Daly, Gonzalez, Leno, Newsom, Peskin, Sandoval

Noes: 5 - Ammiano, Hall, Maxwell, McGoldrick, Yee

*Supervisor McGoldrick, seconded by Supervisor Maxwell, moved to amend by replacing "3 Planner III positions at .75 FTE" with "3 Planner II positions at .75 FTE"; and by adding one Graphic Artist at 0.6 FTE to the Department of City Planning.*

**Supervisor McGoldrick, seconded by Supervisor Maxwell, moved that this Ordinance be AMENDED. The motion carried by the following vote:**

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee



*Supervisor Ammiano, seconded by Supervisor Daly, moved to amend by adding "program improvements" after the "In Home Supportive Services wage and benefits increases".*

**President Ammiano, seconded by Supervisor Daly, moved that this Ordinance be AMENDED. The motion carried by the following vote:**

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval  
Absent: 1 - Yee

**PASSED ON FIRST READING AS AMENDED by the following vote:**

Ayes: 10 - Ammiano, Daly, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee  
Noes: 1 - Gonzalez

**021076 [Street fairs fees]**

**Mayor**

Ordinance amending Traffic Code Section 806 to charge street fairs where alcoholic beverages are served the full cost of police services, rather than 40 percent of the cost, to eliminate the \$2,500 cap on charges for police services for street fairs where alcoholic beverages are served, to eliminate ISCOTT's authority to waive payment of the cost of police services for street fairs where alcoholic beverages are served, and to provide for annual adjustment of these fees to reflect changes in the Consumer Price Index. (Mayor)

*Supervisor Ammiano, on behalf of the Mayor, introduced an amendment of the whole.*

**Supervisor Leno, seconded by Supervisor Newsom, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:**

Ayes: 10 - Ammiano, Daly, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee  
Absent: 1 - Gonzalez

Ordinance amending Traffic Code Section 806 to charge street fairs where alcoholic beverages are served the full cost of police services, subject to a graduated series of caps based on attendance, to eliminate ISCOTT's authority to waive payment of the cost of police services for those street fairs, and to provide for annual adjustments of these fees and caps to reflect changes in the Consumer Price Index. (Mayor)

**PASSED ON FIRST READING AS AMENDED by the following vote:**

Ayes: 10 - Ammiano, Daly, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee  
Absent: 1 - Gonzalez

**Recommendations of Rules and Audits Committee**

**011656 [Charter Amendment - Public Utilities Commissioners]**

**Supervisors Hall, Gonzalez**

Charter amendment (Third Draft) to amend Section 4.112 to require each Public Utilities Commissioner to meet specific qualifications for appointment, providing for appointment of new commissioners.

**NOT ORDERED SUBMITTED by the following vote:**

Ayes: 3 - Gonzalez, Hall, Yee  
Noes: 8 - Ammiano, Daly, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

**020884 [Charter Amendment - Board of Supervisors]  
Supervisors Gonzalez, Leno**

Charter amendment (Third Draft) to amend Section 2.100 to provide that the job of a member of the Board of Supervisors of the City and County of San Francisco is a full time position, and to provide that the Civil Service Commission shall set the Supervisors' salary once every five (5) years. The Civil Service Commission must consider salaries of other California City Councils and County Boards of Supervisors, and may also consider the Consumer Price Index (CPI).

*Supervisor Leno requested to be added as a co-sponsor.*

**ORDERED SUBMITTED** by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval  
Noes: 2 - Newsom, Yee

**020888 [Charter Amendment - Assistance to Elections Department]  
Supervisor Ammiano**

Charter amendment (Fifth Draft) to amend sections 13.103.5, 13.104.5, 15.100 and 6.102 to clarify that said section does not prohibit City personnel from providing to the Department of Elections services that are indistinguishable from services provided to other City departments and unrelated to the conduct of elections; authorize the Board of Supervisors to grant a waiver, applicable before, during and after election day, to the prohibition on use of City employees; eliminate the requirement that, prior to seeking a waiver from the Board of Supervisors, the Elections Commission make a finding that the Department of Elections will not have adequate staffing to conduct an election without the waiver; specify that the Sheriff is responsible for transporting voted ballots and other documents and devices used to record votes from the polls to the central counting location and approving a security plan; and eliminate some of the restrictions that apply to members of the Ethics Commission, Elections Commission, and the City Attorney.

**ORDERED SUBMITTED** by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

**Referred from Rules and Audits Committee "Without Recommendation"**

**020805 [Charter Amendment - Entertainment Commission]  
Supervisors Leno, McGoldrick, Daly, Ammiano, Gonzalez, Newsom, Peskin, Sandoval**

Charter amendment (Third Draft) to amend the Charter of the City and County of San Francisco by adding section 4.117 to establish the composition of and appointment of members to the San Francisco Entertainment Commission.

**ORDERED SUBMITTED** by the following vote:

Ayes: 8 - Ammiano, Daly, Gonzalez, Leno, McGoldrick, Newsom, Peskin, Sandoval  
Noes: 3 - Hall, Maxwell, Yee

**020938 [Charter Amendment - Retirement Benefits for Miscellaneous Safety Employees]  
Supervisors Ammiano, Gonzalez**

Charter amendment (First Draft) to amend Appendix A8.506-2 thereto, relating to retirement benefits for miscellaneous safety employees.

(Fiscal impact.)

**President Ammiano, seconded by Supervisor Gonzalez, moved that this Charter Amendment be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:**

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Charter amendment (Second Draft) to amend Appendix A8.506-2 thereto, relating to retirement benefits for miscellaneous safety employees.

(Fiscal impact.)

**President Ammiano moved that this Charter Amendment be RE-REFERRED to the Rules and Audits Committee. The motion carried by the following vote:**

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

**020885 [Charter Amendment - Parental Leave Compensation]  
Supervisors Daly, Gonzalez, Sandoval, Maxwell**

Charter amendment (Second Draft) to amend the charter regarding compensation during parental leave.

(Fiscal impact.)

**ORDERED SUBMITTED by the following vote:**

Ayes: 10 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee  
Noes: 1 - Hall

**From Rules and Audits Committee With Recommendation "Do Not Submit"**

**020882 [Charter Amendment - Public Advocate]  
Supervisor McGoldrick**

Charter amendment (Second Draft) to amend Section 6.100, 13.101, 13.101.5 and 13.102 and by adding Section 6.108 to create the Public Advocate.

**Supervisor McGoldrick moved that this Charter Amendment be RE-REFERRED to the Rules and Audits Committee. The motion carried by the following vote:**

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

**020886 [Charter Amendment - Homeless Policy]  
Supervisor Daly**

Charter amendment (Fourth Draft) by adding Section 2.105-1 to require a vote of not less than two-thirds (2/3) of the members of the Board of Supervisors to change any enactment regarding homeless policy or services within the same fiscal year in which such enactment was adopted; to add Section 4.134 to establish a Local Homeless Coordinating Board to advise the Mayor and the Board of Supervisors on the development, implementation and evaluation of homeless policy; and to amend Section 10.104 to authorize not more than five (5) staff members for the Local Homeless Coordinating Board who shall be exempt from civil service rules.

Supervisor Daly moved that this Charter Amendment be **RE-REFERRED** to the Rules and Audits Committee. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

**From Finance Committee "Without Recommendation"**

**Appointment of President Pro Tempore**

*Appointment of President Pro Tempore*

*At the request of the President, Supervisor Sandoval assumed the Chair so the President could participate in the debate from the floor concerning the following item.*

*The President resumed the Chair shortly thereafter.*

**021170 [Veterans Building Special Election]  
Supervisor Sandoval**

Ordinance calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, November 5, 2002, for the purpose of submitting to the voters of the City and County of San Francisco a proposition to incur the following bonded debt of the City and County: One Hundred Twenty-Two Million Seven Hundred Fifty-Five Thousand Dollars (\$122,755,000) for the acquisition, rehabilitation, renovation, improvement, construction and/or reconstruction by the City and County of the San Francisco War Memorial Veterans Building, and all other works, property and structures necessary or convenient for the foregoing purposes; providing for the use of available annual revenues on deposit in the War Memorial Special Fund to reduce the property tax impact; finding that the estimated cost of such proposed project is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest thereof; prescribing notice to be given of such election; finding the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Administrative Code Section 2A.53; consolidating the special election with the general election; establishing the election precincts, voting places and officers for the election; waiving the word limitation on ballot propositions imposed by San Francisco Municipal Elections Code Section 510; complying with Section 53410 of the California Government Code; and incorporating the provisions of Article V of Chapter V of the San Francisco Administrative Code.

(Fiscal impact.)

**Ordinance No.** 163-02

**FINALLY PASSED** by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

**021171 [War Memorial Special Fund]  
Supervisor Sandoval**

Ordinance amending Article XIII of Chapter X of the San Francisco Administrative Code regarding the War Memorial Special Fund (the "Fund") by amending Section 10.100-361 to correct outdated Administrative Code section references and clarify the uses of moneys in the Fund.

(Fiscal impact.)

**Ordinance No.** 169-02

**FINALLY PASSED** by the following vote:

Ayes: 9 - Ammiano, Daly, Hall, Leno, Maxwell, Newsom, Peskin, Sandoval, Yee

Noes: 1 - McGoldrick

Absent: 1 - Gonzalez

**Special Order 3:00 P.M.**

**Board of Supervisors Sitting as a Committee of the Whole**

**Recommendation of Finance Committee**

**021169 [Affordable Housing Bonds Special Election]  
Mayor, Supervisors Ammiano, Daly, McGoldrick, Leno, Sandoval, Maxwell, Newsom**

Ordinance calling and providing for a special election to be held in the City and County of San Francisco (the "City") on November 5, 2002, for the purpose of submitting to the qualified voters of the City a proposition for the issuance of bonds by the City (or one of its agencies, departments or enterprises) in the principal amount of Two Hundred Fifty Million Dollars (\$250,000,000) to finance the acquisition, construction and/or rehabilitation of housing affordable to low- and moderate-income households and financial assistance to low- and moderate-income first-time homebuyers and authorizing landlords to passthrough fifty percent (50%) of the resulting property tax increase to residential tenants; finding that the estimated cost of the project is and will be too great to be paid out of the ordinary annual income and revenue of the City and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of and the manner of holding the special election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on the bonds and providing for the levy and collection of taxes to pay both principal and interest therefor; prescribing notice to be given of the special election; finding the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Administrative Code Section 2A.53; consolidating the special election with the general election; establishing the election precincts, voting places and officers for the special election; waiving the word limitation on ballot propositions imposed by San Francisco Municipal Elections Code Section 510; complying with Section 53410 of the California Government Code; incorporating the provisions of Article V of Chapter V of the San Francisco Administrative Code; and imposing certain limitations on the use of bonds proceeds. (Mayor)

(Fiscal impact.)

*Supervisors Maxwell and Sandoval requested to be added as co-sponsors.*

**PASSED ON FIRST READING** by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval  
Noes: 2 - Hall, Yee

**Referred from Rules and Audits Committee "Without Recommendation"**

**012056 [Charter Amendment - Energy Self Sufficiency]  
Supervisors Ammiano, Maxwell**

Charter amendment (Sixth Draft) to amend Section 4.112 and to add a new Chapter 8B addressing Commission governance, goals and objectives related to energy, powers of the Commission related to energy, siting of energy facilities and rates for energy services.

(Fiscal impact.)

**TABLED** by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

**021253 [Charter Amendment - Energy Self Sufficiency]  
Supervisors Gonzalez, Daly**

Charter amendment (Second Draft) to amend Sections 4.112 and add a new Chapter 8B addressing Commission governance, goals and objectives related to energy, powers of the Commission related to energy, siting of energy facilities and rates for energy services.

**ORDERED SUBMITTED by the following vote:**

Ayes: 8 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Peskin, Sandoval  
Noes: 3 - Hall, Newsom, Yee

**020887 [Charter Amendment - Changes to Public Utilities related to water and sewer]**

Charter Amendment (Fifth Draft) to create a new Article VIIIB to add Sections 8B.120 through 8B.127, deleting Section 9.111-1 and amending Section 16.103, to establish exclusive control of utilities; rate setting standards and methods; planning and reporting requirements; transfer of surplus funds between utilities; independence in contracting; revenue bonds or other financing methods.

(Fiscal impact.)

**ORDERED SUBMITTED by the following vote:**

Ayes: 8 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Peskin, Sandoval  
Noes: 3 - Hall, Newsom, Yee

**From Committee of the Whole**

**021218 [Requirements for automatic sprinklers in residential hotels]  
Supervisors Newsom, Daly**

Ordinance amending the San Francisco Fire Code Section 9001.1.3 and the San Francisco Housing Code Section 904 to extend compliance with requirements regarding installation of automatic sprinkler systems in residential hotels, as defined in the Ordinance, to December 31, 2002; providing findings as to local conditions pursuant to the California Health and Safety Code; and making this Ordinance retroactive to June 30, 2002.

**Ordinance No.** 170-02

**FINALLY PASSED by the following vote:**

Ayes: 10 - Ammiano, Daly, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee  
Absent: 1 - Gonzalez

**NEW BUSINESS**

**Recommendation of the Finance Committee**

**021185 [Emergency Response Fee Amendments]  
Supervisors Daly, Ammiano, Gonzalez, McGoldrick, Sandoval, Leno**

Ordinance amending Section 755 of the San Francisco Business and Tax Regulations Code by increasing the Emergency Response Fee rates for standard telephone access lines from \$1.00 to \$1.25 per month, for trunk lines from \$7.50 to \$9.38 per month, and for high capacity trunk lines from \$135 to \$168.75 per month.

**PASSED ON FIRST READING** by the following vote:

Ayes: 8 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Peskin, Sandoval  
Noes: 3 - Hall, Newsom, Yee

**Recommendations of the Public Works and Public Protection Committee**

**021187 [Fire Code]  
Supervisor Gonzalez**

Resolution endorsing amendments and providing findings as to the local conditions supporting those amendments to the 2001 State Fire Code, as required by California Health and Safety Code. (Fire Department)

(Companion measure to File 021135.)

**Resolution No.** 507-02

**ADOPTED** by the following vote:

Ayes: 10 - Ammiano, Daly, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee  
Absent: 1 - Gonzalez

**021135 [Fire Code]  
Ordinance repealing the San Francisco Fire Code and adopting, in its entirety, a new San Francisco Fire Code.  
(Fire Department)**

**PASSED ON FIRST READING** by the following vote:

Ayes: 10 - Ammiano, Daly, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee  
Absent: 1 - Gonzalez

**021072 [Accept-Expend California Integrated Waste Management Board Local Government  
Household Hazardous Waste Grant, Fiscal Year 2002/2003]**

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of \$69,507.24 from the California Integrated Waste Management Board for educating San Francisco residents and Conditionally Exempt Small Quantity Generators (CESQGs) about the proper disposal of universal waste lamps and to expand opportunities for residential disposal of universal waste lamps. (Environment)

**Resolution No.** 504-02

**ADOPTED** by the following vote:

Ayes: 10 - Ammiano, Daly, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee  
Absent: 1 - Gonzalez

**Recommendations of the Rules and Audits Committee**



**021182 [Rescheduling the September 16, 2002 meeting of the Board of Supervisors to September 17, 2002]  
Supervisor Ammiano**

Resolution rescheduling the September 16, 2002 meeting of the Board of Supervisors to September 17, 2002 at 2:00 p.m.

**Resolution No.** 506-02

**ADOPTED by the following vote:**

Ayes: 10 - Ammiano, Daly, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee  
Absent: 1 - Gonzalez

**020990 [Board Off-site Meetings]  
Supervisor Ammiano**

Motion ordering the City and School District Committee meetings of the Board of Supervisors be held at the Irving G. Breyer Board Meeting Room, Board of Education, 555 Franklin Street, First Floor, San Francisco, on August 21, September 18, and November 20, 2002 at 3:00 P.M.; and directing the Clerk of the Board to prepare the proper notices and postings.

**Motion No.** M02-113

**APPROVED by the following vote:**

Ayes: 10 - Ammiano, Daly, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee  
Absent: 1 - Gonzalez

**From Rules and Audits Committee "Do Not Submit"**

**020874 [Congestion Pricing for Tolls on San Francisco-Oakland Bay Bridge]  
Supervisor Sandoval**

Motion ordering submitted to the voters a policy declaration known as Congestion Pricing for Tolls on San Francisco-Oakland Bay Bridge at an election to be held on November 5, 2002.

(Supervisor Sandoval dissented in committee.)

**NOT APPROVED by the following vote:**

Ayes: 1 - Sandoval  
Noes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee

**Referred from Rules and Audits Committee**

**021152 [Appointments, Board of Appeals]  
Supervisor Ammiano**

Motion approving the Board of Supervisors President's nomination of Doug Shoemaker and Hisashi Sugaya to the Board of Appeals, terms to be determined by lot.

Doug Shoemaker, Seat 1, new position, must be nominated by the President of the Board of Supervisors, term to be determined by lot.

Hisashi Sugaya, Seat 2, new position, must be nominated by the President of the Board of Supervisors, term to be determined by lot.

(Appointment of Doug Shoemaker, seat 1, recommended. Supervisor Hall dissenting.)

(Appointment of Hisashi Sugaya, seat 2, recommended.)

*Supervisor Hall requested that the appointment of Hisashi Sugaya be divided and considered separately. See File No. 021332.*

**Supervisor Hall, seconded by Supervisor McGoldrick, moved that this Motion be DIVIDED. The motion carried by the following vote:**

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Motion approving the Board of Supervisors President's nomination of Doug Shoemaker to the Board of Appeals, term to be determined by lot.

Doug Shoemaker, Seat 1, new position, must be nominated by the President of the Board of Supervisors, term to be determined by lot.

(Appointment of Doug Shoemaker, seat 1, recommended. Supervisor Hall dissenting in committee.)

**Motion No.** M02-114

**APPROVED** by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Noes: 1 - Hall

**021332 [Appointment, Board of Appeals]**

Motion approving the Board of Supervisors President's nomination of Hisashi Sugaya to the Board of Appeals, term to be determined by lot.

Hisashi Sugaya, Seat 2, new position, must be nominated by the President of the Board of Supervisors, term to be determined by lot.

*Divided from File No. 021152.*

**Motion No.** M02-119

**APPROVED** by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

**021154 [Appointments, Board of Appeals]  
Mayor**

Motion approving the Mayor's nomination of Arnold Chin, and Sabrina Saunders to the Board of Appeals, terms to be determined by lot. (Mayor)

Arnold Chin, Seat 3, new position, must be nominated by the Mayor, term to be determined by lot.  
Sabrina Saunders, Seat 5, new position, must be nominated by the Mayor, term to be determined by lot.  
(Appointment of Arnold Chin, seat 3, recommended. Supervisor Gonzalez dissenting.)  
(Appointment of Sabrina Sauders, seat 5, recommended.)

**Supervisor Daly, seconded by Supervisor Leno, moved that this Motion be TABLED. The motion carried by the following vote:**

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

**021155 [Appointments, Board of Appeals]  
Mayor**

Motion rejecting the Mayor's appointment John McInerney to the Board of Appeals. (Mayor)

John McInerney, Seat 4, new position, must be nominated by the Mayor, term to be determined by lot.  
(Supervisor Hall dissenting.)

**TABLED by the following vote:**

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

**Recommendations of the Transportation and Commerce Committee**

**020447 [Congestion Pricing Program]  
Supervisors Sandoval, Gonzalez, Daly, McGoldrick, Peskin**

Resolution urging the Legislature of the State of California or, in the alternative, the nine Bay area counties that compose the Metropolitan Transportation Commission to pass legislation establishing a congestion pricing program for the San Francisco-Oakland Bay Bridge.

(Supervisor Hall dissenting in Committee.)

**Resolution No. 501-02**

**ADOPTED by the following vote:**

Ayes: 7 - Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Sandoval  
Noes: 3 - Ammiano, Hall, Yee  
Absent: 1 - Peskin

**SPECIAL ORDER 3:00 P.M.**

**021160 [Public Hearing - Appeal, Conditional Use, 2001 - 37th Avenue (aka 2750 Rivera Street)]**  
Hearing of persons interested in or objecting to the decision of the Planning Commission by its Motion No. 16428 dated June 25, 2002, approving Conditional Use Application No. 2001.1203C, allowing the installation of six antennas mounted within fiberglass screens, and three equipment cabinets installed inside the existing rooftop penthouse on St. Ignatius College Preparatory as part of a wireless telecommunications network operated by Cingular Wireless in an RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District on property located at 2001 - 37th Avenue (aka 2750 Rivera Street), west side between Ortega and Quintara Streets; Lot 006, in Assessor's Block 2094.

(Appeal filed June 25, 2002; categorically exempt from environmental review process pursuant to Class 1 exemptions of Title 14 of the California Administrative Code; Case No. 2001.1203C; companion measure to Files 021161, 021162, 021163; District 4.)

*Supervisor Newsom requested that this item be continued to July 29, 2002.*

*Respondents: Kelly Peppar, Cingular Wireless, Mike Silvester, Don Carmani,*

*Female speaker on behalf of Leslie Bevoy, Scott Dagner, John Henning, Greg Neville, Sherry Stewart, Don Lewis, Amad Gerinte, G. Wong*

*Director of the Department of Planning Gerald Green*

*A rebuttal period was allowed.*

*Mavis Navin - Supporting Appellant*

*The President then declared the hearing closed.*

**HEARD AT PUBLIC HEARING by the following vote:**

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

*Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.*

**(Only one of the following two motions should be adopted.)**

**021161 [Appeal, Conditional Use, 2001 - 37th Avenue (aka 2750 Rivera Street)]**  
Motion approving decision of the Planning Commission by its Motion No. 16428, approving Conditional Use Application No. 2001.1203C, on property located at 2001 - 37th Avenue (aka 2750 Rivera Street), and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

**Motion No.** M02-115

**Supervisor Newsom, seconded by Supervisor Leno, moved that this Motion be APPROVED. The motion carried by the following vote:**

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, Newsom, Peskin, Sandoval, Yee

Absent: 1 - McGoldrick

**021162 [Appeal, Conditional Use, 2001 - 37th Avenue (aka 2750 Rivera Street)]**  
Motion disapproving decision of the Planning Commission by its Motion No. 16428, approving Conditional Use Application No. 2001.1203C, on property located at 2001 - 37th Avenue (aka 2750 Rivera Street), and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

**Supervisor Newsom, seconded by Supervisor Leno, moved that this Motion be TABLED. The motion carried by the following vote:**

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, Newsom, Peskin, Sandoval, Yee

Absent: 1 - McGoldrick

**021163 [Findings - 2001 - 37th Avenue (aka 2750 Rivera Street)]**

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional use Application No. 2001.1203C, on property located at 2001 - 37th Avenue (aka 2750 Rivera Street), for action by the Board at its next meeting. (Clerk of the Board)

**Motion No.** M02-116

Supervisor Newsom, seconded by Supervisor Leno, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, Newsom, Peskin, Sandoval, Yee  
Absent: 1 - McGoldrick

## **COMMITTEE REPORTS**

### **From Health and Human Services Committee**

**021165 [Amended Nondisposal Facility Element]  
Supervisor Daly**

Resolution adopting an amended Nondisposal Facility Element of the City's Integrated Waste Management Plan as required by California Public Resources Code Section 41730. (Environment)

**Resolution No.** 488-02

**ADOPTED by the following vote:**

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

### **From Finance Committee**

**020910 [Revenue Bond Election]  
Supervisor Ammiano**

Resolution calling and providing for a special election to be held in the City and County of San Francisco for the purpose of submitting to the qualified voters of said City and County on November 5, 2002 a proposition for the issuance of revenue bonds and/or other forms of revenue financing by the Public Utilities Commission in a principal amount not to exceed \$1,628,000,000 to finance the acquisition and construction of improvements to the City's water system; making issuance of the bonds subject to the requirement that San Francisco Administrative Code Chapter 37 (Residential Rent Stabilization and Arbitration Ordinance) be amended to provide that (1) 50% of the costs resulting from increased water rates may be passed through from landlords to residential tenants where a unit is in compliance with any applicable laws requiring water conservation devices, and (2) tenants may file hardship applications with the Rent Board for relief from all or part of the cost passthrough and their affected landlords may utilize any available Public Utilities Commission low-income rate discount program or similar program for water bill reduction based on the tenants' hardship status; and for the possible imposition of a surcharge on retail water customers; complying with Article 83 of the San Francisco Administrative Code (First Source Hiring Program); and consolidating said special election with the General Municipal Election to be held on November 5, 2002; complying with Section 53410 of the California Government Code; finding the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and the City's General Plan. (Public Utilities Commission)

(Fiscal impact.)

**Resolution No. 487-02**

**ADOPTED by the following vote:**

Ayes: 8 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin  
Noes: 3 - Hall, Sandoval, Yee

## **PUBLIC COMMENT**

*Abdah Lagay, homelessness;*  
*B. Agenger, homelessness*  
*Male Speaker, eviction*  
*Chris Bowman, elections*

## **APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST**

*These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.*

**021198 [Legislative Analyst Request]  
Supervisor Leno**

Motion asking the Legislative Analyst to research the impact of new fees for street fairs that serve alcohol. The research should explore the impact on small and large street fairs operational ability and grant programs to non-profits if police costs are paid at 100% cost. Additionally, the office should research on what basis the decision is made for the amount of police needed for each event and how police services are provided in other cities.

*Supervisor Leno requested that the item be tabled.*

**Supervisor Leno, seconded by Supervisor Peskin, moved that this Motion be TABLED. The motion carried by the following vote:**

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

## **FOR ADOPTION WITHOUT COMMITTEE REFERENCE**

*These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.*

**021261 [Support Preservation at Angel Island Immigration Station]  
Supervisor Peskin**

Resolution supporting a Congressional budget allocation of \$15 million to preserve and restore historical facilities at the Angel Island Immigration Station.

**Resolution No. 508-02  
ADOPTED**

**021263 [Plaque honoring Chilean Americans]  
Supervisor Peskin**

Resolution establishing the location of a plaque provided by the Government of Chile honoring the contributions of Chilean Americans in front of the historic Sentinel Building located at Columbus Avenue and Kearny Street.

**Resolution No. 509-02  
ADOPTED**

**021265 [Commend Bonnie Martin]  
Supervisors Sandoval, Newsom**

Resolution commending Bonnie Martin for her work and dedication as the editor and publisher of the Gateway Gazette.

**Resolution No. 510-02  
ADOPTED**

**021266 [Commend Local No. 8]  
Supervisors Sandoval, Daly**

Resolution commending the International Union of Elevator Constructors Local No. 8, on the occasion of its 100 year anniversary, for a century of service to the elevator constructors of San Francisco.

**Resolution No. 511-02**

**ADOPTED**

**021267 [Commend Frances Farrell]  
Supervisor Sandoval**

Resolution commending Frances Farrell, on the occasion of her retirement from the San Francisco Fire Commission, for decades of work for the City and County of San Francisco.

**Resolution No. 512-02**

**ADOPTED**

**021268 [Commend St. John's Educational Thresholds]  
Supervisor Daly**

Resolution commending the St. John's Educational Thresholds Center for its 30th anniversary and decades of dedicated service to the youth of the Mission District; and commending the youth of the North Mission District for their successful work towards the creation of the first park in North Mission.

**Resolution No. 513-02**

**ADOPTED**

**021257 [Needle Exchange Emergency]  
Supervisors Ammiano, Newsom, Yee, Leno, Daly, Peskin, McGoldrick, Maxwell**

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

**Motion No. M02-118**

**APPROVED**

**The foregoing items were acted upon by the following vote:**

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee

Absent: 1 - Newsom

**Severed From Adoption Without Reference to Committee**



**021123 [Negotiations Regarding GCIU Local 4N and Independent/SF Examiner IU Local 4N and the Examiner/Independent]****Supervisors Ammiano, Daly, Gonzalez**

Resolution regarding negotiations between GCIU Local 4N and the SF Examiner/Independent.

*Supervisor Gonzalez requested this matter be severed so it could be considered separately.*

*Supervisor Gonzalez requested this item be continued to July 29, 2002.*

**Supervisor Gonzalez, seconded by Supervisor Daly, moved that this Resolution be CONTINUED. The motion carried by the following vote:**

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee

Absent: 1 - Newsom

**021264 [Urge Recreation and Parks Department to work with neighborhood groups]****Supervisor Yee**

Resolution urging the Recreation and Park Department to work more closely with neighborhood groups.

*Supervisor Daly requested this matter be severed so it could be considered separately.*

*Supervisor Daly requested this item be referred to committee.*

**Supervisor Daly moved that this Resolution be REFERRED to the Neighborhood Services and Recreation Committee. The motion carried by the following vote:**

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee

Absent: 1 - Newsom

## OFF-AGENDA LEGISLATION

### Introduced by Supervisors or Mayor

#### Ordinances

**021067 [Amending Public Works Code, Street Space Occupancy Permits; Modify the Fee Collection]****Supervisors Peskin, Newsom**

Ordinance amending Public Works Code Sections 724 through 724.9 concerning street space occupancy permits to modify the fee collection structure, provide for fee refunds, assess right-of-way occupancy costs, establish minimum notice requirements, and impose other related procedures; amending Traffic Code Section 33.1A to replace existing provisions concerning special parking restrictions with a requirement that the Department of Parking and Traffic and Department of Public Works coordinate jurisdictional activities over street space occupancy permits.

6/10/02, RECEIVED AND ASSIGNED to Budget Committee.

7/10/02, TRANSFERRED to Neighborhood Services and Recreation Committee.

7/22/02, SUBSTITUTED to Neighborhood Services and Recreation Committee. Supervisor Peskin submitted a substitute ordinance bearing new title.

7/23/02, TRANSFERRED to Finance Committee. Sponsor requests this item be calandered on August 7, 2002.

**021296 [Entertainment Commission]  
Supervisors Leno, Newsom**

Ordinance amending the San Francisco Administrative Code to (i) enact a new Section 10.100-296 establishing the San Francisco Entertainment Commission Fund, and (ii) amend Section 90.9 of Chapter 90 relative to the fees for licenses and permits issued by the San Francisco Entertainment Commission.

7/22/02, RECEIVED AND ASSIGNED to Finance Committee.

**Resolutions**

**021297 [CEQA Findings]  
Supervisor Daly**

Resolution adopting environmental findings pursuant to the California Environmental Quality Act and State Guidelines in connection with adoption of a zoning map amendment for the 601 King Street Project.

7/22/02, ASSIGNED to Health and Human Services Committee.

**021298 [Expedite process for open seats on Planning Commission and Board of Appeals]  
Supervisor Peskin**

Resolution to expedite the process of appointing the remaining four seats of the Planning Commission and the three seats on the Board of Appeals.

7/22/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**021299 [Urging the Presidio Trust Management to have independent verification]  
Supervisor Yee**

Resolution urging the Presidio Trust Management to have an independent verification and examination of their financial model and all assumptions and data underlying that model by an independent Certified Public Accountant or a Certified Accounting Firm.

7/22/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**021300 [Reaffirming the importance of CEDAW]  
Supervisors Yee, Daly, Peskin, Newsom**

Resolution reaffirming the importance of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), and urging Senators Boxer and Feinstein to make every effort to ensure Senate ratification of CEDAW.

7/22/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**021301 [Opposing S2633 and HR3782]  
Supervisors Leno, Daly, Gonzalez**

Resolution urging the U.S. Senate to oppose the RAVE Act, S2633 (Reducing America's Vulnerability to Ecstasy Act) and urging the House of Representatives to oppose HR3782 sponsored by Congressman Doug Ose (D-CA).

7/22/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**021302 [Extending the operations of the SRO Task Forces to August 31, 2003]  
Supervisors Ammiano, Daly, Peskin**

Resolution extending the operations of the Single Room Occupancy (SRO) Hotel Safety and Stabilization Task Force through August 31, 2003.

7/22/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**021303 [Establishing a Work Group to End the Exploitation of Youth]  
Supervisors Ammiano, Daly, Peskin**

Resolution approving the formation of a work group to assess the needs of sexually exploited and abused youth.  
7/22/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**021304 [Commending Ingleside Presbyterian Church and Reverend Roland Gordon]  
Supervisors Sandoval, Hall**

Resolution commending Ingleside Presbyterian Church and Reverend Roland Gordon on the occasion of Ingleside Presbyterian Church's 95th anniversary and Reverend Roland Gordon's 24th pastoral anniversary.

7/22/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**021305 [Commending Henry J. Leigh]  
Supervisors Maxwell, Leno, Newsom**

Resolution commending Henry J. Leigh, upon his retirement, for his 32 years of dedication and service to the City and County of San Francisco.

7/22/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**021306 [Commending Glynn Moses]  
Supervisors Maxwell, Leno, Newsom**

Resolution commending Glynn Moses, upon her retirement, for her 33 years of dedicated service at the San Francisco General Hospital Community Health Network.

7/22/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**021307 [Commemorating the 30th anniversary of Title IX of the Education]  
Supervisors Leno, Maxwell, Daly, Newsom**

Resolution commemorating the 30th anniversary of Title IX of the Education Amendments of 1972, the federal law that prohibits sex discrimination in education including athletic programs and opportunities.

7/22/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

### **Requests for Hearing**

**021310 [PUC contract with Primus Infrastructure and Jacobs Civil Inc. for program management services.]  
Supervisor Peskin**

Hearing regarding the Public Utilities Commission's progress toward implementing its contract with Primus Infrastructure and Jacobs Civil Inc. for program management services.

7/22/02, RECEIVED AND ASSIGNED to Finance Committee.

**021311 [Court Collections performed by Treasurer's Office]  
Supervisor Hall**

Hearing on the Memorandum of Understanding between the Treasurer/Tax Collector and the Trial Courts on the collection of delinquent fees.

7/22/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

### **Motions**

**021308 [Directing the Budget Analyst to conduct a management audit of the SF Airport Development Bureau]  
Supervisors Peskin, Ammiano, Leno, McGoldrick, Daly, Gonzalez, Newsom**

Motion amending the Schedule of Audits for the Budget Analyst and directing the Budget Analyst to conduct a management audit of the San Francisco International Airport's Airfield Development Bureau and to perform this management audit as the next priority assignment.

7/22/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**021309 [Legislative Analyst Request - Two-Year Budgeting]  
Supervisors Maxwell, Newsom**

Motion asking the Legislative Analyst to report on the practice by local governments to operate on a two-year budget cycle. Please provide potential benefits of such practice, as well as examples of municipalities that prepare two-year budgets.

7/22/02, ASSIGNED to Board of Supervisors. Scheduled for consideration July 29, 2002

With request to provide report on August 26, 2002.

## **PROPOSED ORDINANCES**

- 021236 [Amending Section 110 of the San Francisco Building Code To Increase Fees For Services]**  
Ordinance Amending Section 110 of The San Francisco Building Code To Increase Fees For Department of Building Inspection Services. (Building Inspection Department)  
7/17/02, RECEIVED AND ASSIGNED to Public Works and Public Protection Committee.

## **PROPOSED RESOLUTIONS**

- 021137 [Contracting out of Facility Security Services]**  
Resolution concurring with the Controller's certification that facility security services for Municipal Transportation Agency can be practically performed by a private contractor at a lower cost than by City and County employees. (Municipal Transportation Agency)  
  
(Fiscal impact; Public Benefit Recipient)  
7/11/02, RECEIVED AND ASSIGNED to Finance Committee.
- 021215 [Unpaid DPH complaint reinspection fee liens to become special assessments to the property taxes]**  
Resolution confirming the report of delinquent reinspection fee costs submitted by the Director of Public Health, as modified to the date of adoption of the resolution, and creating liens and special assessments based thereon. (Public Health Department)  
7/11/02, SCHEDULED FOR PUBLIC HEARING. Scheduled for August 26, 2002, at 3:00 p.m.

**021230 [Airport Concession Support Program Lease]**

Resolution approving the Airport Concession Support Program between Action Cellular-Cellular Phone Rental Service Lease; Andale SFO - New International Terminal Food and Beverage Lease; Bank of America - Domestic Banking Services Lease; Bayport Concessions LLC dba Willow Street Woodfired Pizza - New International Terminal Food and Beverage Lease; Books, Inc. - North Terminal Bookstore Lease; Buth-Na-Bodhaige, Inc. dba The Body Shop - Boarding Area "F" Cosmetic and Toiletries Lease; CalStar Retail, Inc. - Boarding Area "F" Newsstand Lease and North Terminal Candy Cart/Kiosk Lease; Clear Channel Airports - Airport Advertising Program Lease and SFO Cyber Room Technology Showcase Lease; D. Mitchell Concessions dba Harry Denton's - New International Terminal Food and Beverage Lease; D-Lew Enterprises dba Il Fornaio - New International Terminal Food and Beverage Lease; Deli-Up Enterprises, LLC - New International Terminal Food and Beverage Lease; Discovery Channel Stores - New International Terminal Nature Theme Store Lease; Ebisu, Inc. - New International Terminal Food and Beverage Lease; Emporio Rulli - New International Terminal Food and Beverage Lease; Fung Lum Express, LLC - New International Terminal Food and Beverage Lease; Gotham Foods Two, LLC dba Firewood Café - New International Terminal Food and Beverage Lease; Harbor Airport, LLC dba Harbor Village - New International Terminal Food and Beverage Lease; Host International, Inc. - North Terminal Concession Opportunity Lease, Boarding Areas "B" and "C" Bookstores Lease, New International Terminal Aviation Store Lease, and North Terminal Hub Principal Retail Concession Lease; Lori's Diner International - New International Terminal Food and Beverage Lease; Nidal Nazzal dba Burger Joint - New International Terminal Food and Beverage Lease; North Terminal Shines - Shoeshine Service Lease; OSI-MB-Boarding Area "F" Executive Writing Instruments Lease; Pacific Gateway Concessions, LLC - Boarding Areas "B" and "C" Principal Retail Concession Lease; Pacific Golf Partners, LLC - New International Terminal Golf Shop Lease; Polk-Townsend and Associates dba Café Metro - New International Terminal Food and Beverage Lease; Rosedale-Wilsons dba Wilsons Leather - North Terminal Concourse Fine Leather Goods Lease; San Francisco Museum of Modern Art - New International Terminal Museum Store Lease; See's Candies, Inc. - North Terminal Candy Store Lease (upon execution of the Lease); SFO Hairport - New International Terminal Hair Salon Lease; Smarte Carte - Public Lockers and Over-the-Counter Baggage Lease; Tomokazu Japanese Cuisine (SFO), Inc. - New International Terminal Food and Beverage Lease; Travelex America, Inc. - ATM Lease A in the New International Terminal, ATM Lease B in the New International Terminal, and Foreign Currency Lease; U-Threads - Boarding Area "F" Collegiate Apparel Lease; WH Smith Hotel Services - New International Terminal Bookstore/Café Lease; and Yoko, Inc. dba Osho Japanese Cuisine - New International Terminal Food and Beverage Lease; and the City and County of San Francisco, Acting by and through its Airport Commission. (Airport Commission)

(Fiscal impact.)

7/12/02, RECEIVED AND ASSIGNED to Finance Committee.

**021231 [Recurring FY2002-2003 State grant funds to DPH from the California Department of Health Services]**

Resolution authorizing the acceptance and expenditure of State grant funds by the San Francisco Department of Public Health for FY 2002-2003. (Public Health Department)

7/17/02, RECEIVED AND ASSIGNED to Health and Human Services Committee.

**021232 [Study of HIV prevention in beerhalls in Harare, Zimbabwe]  
Supervisor Maxwell**

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to enter retroactively into an agreement in the amount of \$36,991 with The Regents of the University of California San Francisco (UCSF), the primary contractor, to participate in a randomized trial of HIV prevention in beerhalls in Harare, Zimbabwe, for the period of May 1, 2002, to April 30, 2003. (Public Health Department)

7/17/02, RECEIVED AND ASSIGNED to Health and Human Services Committee.

**021233 [Support and enhance podiatry, nutrition, and diabetic nurse educator services at the Potrero Hill Health Center]  
Supervisor Maxwell**

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept and expend retroactively a new grant in the amount of \$75,000 from the Franklin Benevolent Corporation (FBC) to expand on-site direct patient care services for vulnerable and high-risk patients at the Potrero Hill Health Center and to enter into an agreement for the use of these funds; for the period of July 1, 2002 through June 30, 2003. (Public Health Department)

7/16/02, RECEIVED AND ASSIGNED to Health and Human Services Committee.

**021234 [Unpaid DPH Delinquent Refuse Service Payment Liens to become special assessments to the property taxes]**

Resolution confirming report of delinquent charges for refuse collection services and nuisance removal costs submitted by the Director of Public Health as modified to the date of adoption of this resolution, and creating Special Assessments and liens based thereon. (Public Health Department)

7/16/02, SCHEDULED FOR PUBLIC HEARING. Scheduled for August 26, 2002, at 3:00 p.m.

**021237 [Contracting out City Services]**

Resolution concurring with the Controller's certification that assistance to certain victims of crime and education in community anti-street violence can be practically performed for the District Attorney's Victim Witness Assistance Program by a private contract at a lower cost than similar work services performed by City and County employees. (District Attorney)

(Public Benefit Recipient.)

7/17/02, RECEIVED AND ASSIGNED to Finance Committee.

**021238 [Campaign to educate the driving public on how to yield to responding emergency vehicles - fire, police, and ambulances]**

Resolution authorizing the San Francisco Fire Department to accept and expend a new grant in the amount of \$101,366 from the Office of Traffic Safety for the "Please Abide, Move Aside" program. (Fire Department)

7/17/02, RECEIVED AND ASSIGNED to Public Works and Public Protection Committee.

## Requests Granted

*From: Supervisor Newsom*

*To: City Attorney*

*Requesting/Inquiring: To draft legislation that allows the Department of Public Works to recoup its costs for the abatement of debris caused by illegal dumping on vacant lots that are leased by the City and County of San Francisco.*

*From: Supervisor Newsom*

*To: Superintendent, S.F. Unified School District (SFUSD)*

*Requesting/Inquiring: To report on any existing set of protocols or responses utilized by SFUSD staff for serving those children or youth experiencing asthma episodes on school sites for Child Development Centers, and, in particular:*

- 1. What is the status of SFUSD implementing those recommendations cited in the Condition Critical Report: BVHP Schools and Community Asthma Study Report (1999)?*
- 2. What is the status of a study generated by the SFUSD in January 2001 to conduct a district-wide study adopting policies that are asthma friendly?*
- 3. What is the status of the implementation of the Indoor Air Quality Policy, which was adopted in November 2000?*

*From: Supervisor Hall*

*To: Chief, Police Department*

*Requesting/Inquiring: To report how many citations have been issued under Section 124 of the Police Code. Please break down the citations issued by date and location.*

*From: Supervisor Gonzalez*

*To: City Attorney*

*Requesting/Inquiring: To draft legislation which will amend the San Francisco Planning Code Section 303 related to Conditional Uses to provide for the revocation of a Conditional Use authorization upon a finding by the Planning Commission that a project sponsor provided false information in the process of seeking Conditional Use approval or otherwise did not comply with the conditions finally imposed by the City and County of San Francisco.*

## In Memoriams

*In Memoriams*

*Dwight Steele (Supervisor Peskin)*

*Sam Sternberg (Supervisor Peskin)*

*Michael Daniel Kelly (Supervisor Newsom)*



## ADJOURNMENT

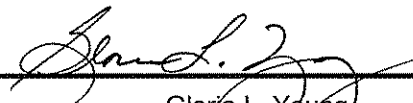
*There being no further business, the Board at the hour of 8:50 p.m. adjourned.*

*Gloria L. Young, Clerk*

*N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.*

*Approved by the Board of Supervisors on September 17, 2002.*

*I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.*

  
\_\_\_\_\_  
Gloria L. Young  
Clerk of the Board